

Application No.: 10/828,793
Filing Date: April 20, 2004

REMARKS

Claims 6-8, 10-18, 20, 21, and 35-55 were previously pending in this application. By this paper, Claim 43 is canceled, and Claims 6, 44, and 50 are amended. Further, Claims 56-75 are added by this paper. Thus, Claims 6-8, 10-18, 20, 21, 35-42, and 44-75 are pending for examination. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

Interview on November 9, 2010

Applicant wishes to thank Examiner Shubo Zhou and Supervisory Patent Examiner Marjorie Moran for the courtesy extended to Applicant's representatives in the in-person interview conducted on November 9, 2010. Applicant believes that considerable progress toward allowance of the claims was made during the interview.

New Claims

New dependent Claims 56-64 have been added. These claims depend directly or indirectly on Claim 6. They are supported by at least paragraphs 52, 54, 64, 78, 84, 92, 95, 165, and 227 of the application as originally filed.

New independent Claim 65 has also been added. Further, Claims 66-75, which depend directly or indirectly from Claim 65, have been added. Claims 65-75 are method claims that incorporate elements that are recited in certain of Claims 6-35, as discussed in the interview. Applicant respectfully submits that the cited references do not show the elements of Claims 65-75.

Applicant respectfully submits that all of the new claims are fully supported by the specification as filed, and that no new matter is added.

Claim Rejections under 35 U.S.C. § 103(a)

All of the previously pending claims were rejected under 35 U.S.C. § 103(a) as being obvious over Iliff (U.S. Pat. No. 5,935,060) in view of Branson (U.S. Pat. No. 6,598,035). Applicant respectfully traverses these rejections.

Applicant respectfully submits that, as stated in the M.P.E.P. at § 2143, “The rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination yielded nothing more than predictable results to one of ordinary skill in the art.” *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007) (emphasis added). Applicant respectfully submits that the cited references, alone or in combination, do not disclose all of the elements of the claims.

Independent Claim 6 recites, for example, “a processor configured to implement a plurality of objects . . . , each of the objects comprising data and one or more processes that are invoked to access the data, wherein the processes of any one object are not permitted to access the data of another object.” Applicant respectfully submits that at least these elements are not described by Iliff or Branson, alone or in combination.

In the Office Action, the Examiner stated that “the combination of data and scripts for manipulating the data is interpreted as reading on the ‘object’ recited in the instant claims.” As discussed during the interview, however, data such as that stored in the patient medical history may be accessed by multiple scripts. *See, e.g.*, FIG. 10. Such access by multiple scripts is inapposite to at least the elements of Claim 6 recited above. Thus, Applicant respectfully submits that at least these elements are not described by Iliff.

Claim 44 recites, for example, “a processor configured to implement a plurality of objects . . . , wherein each object has a data structure and one or more associated processes to manipulate data in the data structure, and wherein the processor is configured to access the data of each object only by invoking the processes associated with that object.” Claim 50 recites, for example, “a processor configured to implement a plurality of objects . . . , wherein each object has one or more functions that belong to the object and that can be accessed from outside of the object, and wherein the data structure of each object cannot be accessed from another object.”

Applicant respectfully submits that at least these elements of Claims 44 and 50 are not described in Iliff for reasons similar to those discussed above with respect to Claim 6. Further, Applicant respectfully submits that Branson does not cure the deficiencies of Iliff, as discussed in the interview. For at least these reasons, Applicant respectfully submits that Claims 6, 44, and 50 are allowable over the cited references.

Application No.: 10/828,793
Filing Date: April 20, 2004

Dependent Claims

Although Applicant has not addressed all the issues of the dependent claims, Applicant respectfully submits that Applicant does not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicant believes that each claim is patentable on its own merits. Claims 7, 8, 10-18, 20, 21, 35-42, and 45-49, and 51-64 depend directly or indirectly from independent Claims 6, 44, and 50. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

Claim Rejections under Nonstatutory Double Patenting

All of the previously pending claims were provisionally rejected under obviousness-type double patenting as being unpatentable over Claims 28 and 29 of U.S. Pat. App. No. 09/785,044. Further, Claims 6-8, 10-14, 16-18, and 20-21 were also rejected under obviousness-type double patenting as being unpatentable over Claims 1-14 of U.S. Pat. No. 6,527,713, in view of Branson.

Applicant respectfully submits that the amended claims are not obvious over the claims of U.S. Pat. App. No. 09/785,044 and U.S. Pat. No. 6,527,713. Applicant respectfully requests the Examiner to reconsider these rejections in view of the information presented herein and discussed during the interview.

Conclusion

Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Although a claim is being canceled herein, the claim cancellation is being made without prejudice and Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations of this application are being

Application No.: 10/828,793
Filing Date: April 20, 2004

made to facilitate expeditious prosecution of the application. Accordingly, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

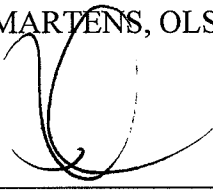
In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 12/13/10

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